

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

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| SOMERVILLE BREWING COMPANY |) | Chapter 11 |
| |) | Case No. 19-13300-FJB |
| DEBTOR |) | |
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**LIMITED OPPOSITION OF DEBTOR TO
MOTION TO VACATE AUTOMATIC STAY**

NOW COMES the debtor, Somerville Brewing Company (the “Debtor/SBC”), and responds to the Motion of William Tauro and Marissa L. Tauro (the “Tauro’s”) seeking to vacate the automatic stay under the Petitioners’ Motion to Vacate Automatic Stay (“Motion for Relief”) [Doc. No. 64]. The Tauro’s have filed the Motion for Relief seeking to continue the litigation they commenced in the Middlesex Superior Court, Woburn Division, Docket Number 1881CV02227 (the “State Court Action”). The Motion for Relief is unnumbered, and the Debtor responds as follows:

1. The Debtor acknowledges that the State Court Action was commenced, and that the Debtor is party to the lawsuit. Further answering, the Debtor expressly denies liability to the Tauro’s and refutes the assertion that the Tauro’s have suffered damages as asserted in the State Court Action.

2. Subject to the foregoing, the Debtor does not oppose the granting of limited relief from the automatic stay to enable the Tauro’s claim to be adjudicated in the State Court BUT ONLY SO as the Tauro’s recovery is limited to a recovery under insurance as detailed in the Motion for Relief and specifically, so long as the Tauro’s shall have no claim against the Debtor or property of the Estate.

Further, the granting of relief shall not limit nor exclude the denials, defenses, oppositions, etc. asserted in the State Court Action which are incorporated here by reference, and the granting of relief shall preserve and in no way limit the Debtor's ability or right to assert any and all defenses, counterclaims etc. which may be available to it in the State Court Action. The filing of this limited opposition is not intended nor shall it be construed as a waiver of any and all claims, defenses and oppositions which the Debtor may have in response to the claims asserted by the Tauro's.

WHEREFORE, the Debtor does not oppose the granting of limited relief from the automatic stay so long as granting of the relief authorizes the Tauro's to pursue their recovery of damages limited solely to insurance proceeds, if any; and that there be no claim allowed in the within Chapter 11 proceedings or against property of the Estate.

Respectfully submitted,
Somerville Brewing Company,
By its attorney,

Dated: November 20, 2019

/s/ Nina M. Parker
Nina M. Parker (BBO #389990)
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| In Re: |) | |
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| DEBTOR |) | |
| |) | |

CERTIFICATE OF SERVICE

I, Nina M. Parker, do hereby certify that I have given either electronic notice and/or mailed, postage prepaid, copies of **Limited Opposition of the Debtor to William Tauro and Marissa L. Tauro's Motion to Vacate Automatic Stay** to the parties listed on the annexed service list.

Dated: November 20, 2019

/s/ Nina M. Parker
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Marques C. Lipton (BBO #676087)
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Via Email

Somerville Brewing Company, c/o Jeffrey Leiter